

Prob 12B (10/99)

UNITED STATES DISTRICT COURT
for the
Western District of Oklahoma

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender

Probation Form 49, Waiver of Hearing is Attached

Name of Offender: Gabriel Anthony Futischa

Case Number: 5:25-CR-00034-SLP

Name of Judicial Officer: The Honorable Scott L. Palk (Originally sentenced in the Western District of Texas. Jurisdiction transferred February 3, 2025)

Date of Original Sentence: May 31, 2022

Original Offense: Transportation of Illegal Aliens; 8 U.S.C. § 1324(a)(1)(A)(iii) and (B)(ii)

Original Sentence: 27 months incarceration, 3 years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: September 1, 2023

Previous Court Action:

January 29, 2025 - The court in the Western District of Texas was informed of Mr. Futischa's non-compliance related to his positive urine specimen for methamphetamine. No court action was requested.

March 3, 2025 – The court was notified of Mr. Futischa's non-compliance related to his positive urine specimens for methamphetamine. No court action was requested.

April 2, 2025- The court was notified of Mr. Futischa's non-compliance related to his positive urine specimens for methamphetamine. No court action was requested.

April 11, 2025- The court was notified of Mr. Futischa's non-compliance related to his positive urine specimens for methamphetamine. No court action was requested.

PETITIONING THE COURT

[x] To modify the conditions of supervision as follows:

The defendant shall successfully complete a program of residential substance abuse treatment.

Prob 12B (10/99)

Gabriel Anthony Futscha
5:25-CR-00034-SLP**CAUSE**

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|--|
| 1 | <p><u>Violation of Special Condition:</u> The defendant shall participate in a substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During treatment, the defendant shall abstain from the use of alcohol and any and all intoxicants. The defendant shall pay the cost of such treatment if financially able.</p> |
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Mr. Futscha violated this condition on April 11 and 17, 2025, when he submitted positive urine screens for amphetamine/methamphetamine. On April 26, 2025, Mr. Futscha admitted to the use of methamphetamine.

JUSTIFICATION

On April 26, 2025, Mr. Futscha met with this writer to discuss the aforementioned non-compliance and explore possible interventions. He was offered the chance to participate in treatment services, the Referral Center detox program and residential substance abuse treatment. He expressed a strong desire to engage in these treatment options. Therefore, I respectfully recommend that no adverse court action be taken at this time, allowing him the opportunity benefit from treatment services.

Respectfully submitted by,



Jessica A. Brocz
U.S. Probation Officer
Date: April 29, 2025

Reviewed by,




Kelly C. Edwards
Supervisory U.S. Probation Officer
Date: April 29, 2025

THE COURT ORDERS:

- ☐ No Action
☒ The Modification of Conditions as Noted Above
☐ Other

April 30, 2025
Date


 SCOTT L. PALK
 UNITED STATES DISTRICT JUDGE